

Town of Frederick Board of Trustees



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AM 2010-012

Determination of Whether to Set Show Cause Hearing on Recent Incident at Suzi-Cue's Bar

Agenda Date: Town Board Meeting – January 26, 2010

Attachments:

- a. Memo dated Jan. 18, 2010 from Kristin Brown regarding recent disturbance at licensed establishment.
- b. Notice of Hearing and Order to Show Cause
- c. Memo dated Jan. 18, 2010 from Kristin Brown regarding status of suspended sentences (Suzi-Cue's Bar)
- d. Ordinance appointing George Monsson to serve as the Liquor Authority over the show cause matter, and establishing compensation for such services.

Fiscal Note: None noted or provided Fiscal note


Finance Director

Submitted by: Kristin Brown, by y4
Kristin N. Brown, Town Prosecutor

Approved for Presentation: 
Town Administrator

AV Use Anticipated Projector _____ Laptop _____

Certification of Board Approval:

Town Clerk

Date

Summary Statement:

Review of recent disturbance at Suzi-Cue's bar. Need for determination by Liquor Authority of whether there is probable cause to believe that a violation of the Colorado Liquor Code and/or Frederick Municipal Code occurred, and if so, issue the "Notice of Hearing and Order to Show Cause." In addition, there is the need to determine whether the Liquor Authority will appoint a qualified, experienced attorney (George Monsson) to preside over the Show Cause hearing.

Detail of Issue/Request:

The first memo details the disturbance incident that occurred on Jan. 1, 2010 involving the bartender of Suzi-Cue's. If the Liquor Authority finds that there is probable cause to believe that the licensee violated any provision of the Colorado Liquor Code and/or the Frederick Municipal Code, the "Notice of Hearing and Order to Show Cause" should be issued.

In addition, the Authority should determine whether to appoint George Monsson (Morgan County Attorney), who is highly experienced in Colorado Liquor Law and handled the last show cause matter involving Suzi-Cue's, to preside over the show cause hearing. If the Liquor Authority decides to appoint Mr. Monsson to preside over and determine the show cause hearing, the Ordinance effecting the appointment should be adopted.

The second memo provides the Liquor Authority information regarding the status of the suspended sentences involving prior show cause matters of this licensee. The details contained therein are informational only and should not be considered in determining whether there is probable cause to believe that on January 1, 2010, the licensee violated the liquor or town code.

Legal/Political Considerations:

Not Applicable

Alternatives/Options:

Find that there is not probable cause to believe that a violation of the Colorado Liquor Code and/or Frederick Municipal Code occurred, and take no action on the "Notice of Hearing and Order to Show Cause"

Financial Considerations:

Not Applicable

Staff Recommendation:

Find on the record that there is probable cause to believe that the licensee violated provisions of the Colorado Liquor Code and the Frederick Municipal Code.

Issue the "Notice of Hearing and Order to Show Cause."

Appoint counsel George Monsson to serve as the Liquor Authority to serve over and determine this matter.